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(202) 785-0600

Danielle G. Sakai
(951) 826-8328
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June 2, 2014

VIA E-MAIL

Joan Flynn
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648
jfflynn@surfcity-hb.org

I declare, under penalty of perjury, that I am employed by the City of Huntington Beach in the Office of the City Clerk and that I posted this public notice on the OUTSIDE posting bulletin board at the Civic Center on TUESDAY at 10:00 a.m./p.m. Date 6/3/2014
Signature Patty Eupay
Senior Deputy City Clerk

Re: Posting Notice of Intent To Obtain Amended Validation Judgment

Dear Ms. Flynn:

As you are likely aware, the City of Huntington Beach recently became an associate member of the Western Riverside Council of Governments ("WRCOG") in order to participate in the WRCOG California HERO Program. The California HERO Program is a statewide program which provides financing for distributed generation renewable energy sources, energy and water efficiency improvements, and electric vehicle infrastructure improvements made to properties within the jurisdiction of cities and towns that choose to participate in the program. The improvements are financed through the use of voluntary contractual assessments on the properties that the owners seek to improve.

WRCOG filed two validation actions in Riverside County Superior Court under California Code of Civil Procedure Section 860, seeking court judgments declaring that each aspect of the California HERO Program is valid and lawful, and prohibiting anyone from challenging in the future any matter that was or could have been raised in the action. One validation action addresses residential properties and the other addresses commercial properties. These validation actions were in rem actions associated with pieces of property. The actions did not name any individuals, and instead name "all persons interested" in the California HERO Program. The two cases were entitled *WRCOG v. All Persons Interested, etc.*, Riverside County Superior Court, Case Nos. RIC 1308636 and RIC 1308637.

WRCOG is seeking to amend the validation judgments, which authorized the financing of distributed generation renewable energy sources, or energy efficiency improvements, water efficiency improvements, and electric vehicle infrastructure permanently fixed to residential, commercial, industrial, or other eligible real property in California. The amendments will validate the participation of various additional entities in the California HERO Program, including the City of Huntington Beach.

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As the first step in obtaining amended validation judgments, WRCOG has been ordered to post notice of an *ex parte* hearing to amend the judgments for a period of three days prior to the *ex parte* hearing. The *ex parte* hearings are scheduled for July 1, 2014 at 8:30 a.m. in Department 4 of the Riverside County Superior Court located at 4050 Main Street, Riverside, California 92501. I write to request that you post notice of the *ex parte* hearings in a public place within your jurisdiction prior to June 6, 2014 and keep it posted until at least June 19, 2014. A copy of the notice is enclosed with this letter. Please confirm that the notice was posted, so that we may inform the Court of the same.

Posting the notice will ensure that the Court has jurisdiction to amend the two validation judgments and protect the California HERO Program from future attack.

Thank you for your assistance with this matter. Please do not hesitate to contact me with any questions or concerns.

Sincerely,



Danielle G. Sakai
of BEST BEST & KRIEGER LLP

Enclosure

TO ALL PERSONS INTERESTED IN THE MATTER OF THE PROCEEDINGS FOR THE
WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS CALIFORNIA HERO PROGRAM:

Western Riverside Council of Governments is seeking to amend the validation judgments obtained in Riverside County Superior Court, Case Nos. RIC1308636 and RIC 1308637, which pursuant to AB 860 authorized the financing of distributed generation renewable energy sources, or energy efficiency improvements, water efficiency improvements, and electric vehicle infrastructure permanently fixed to residential, commercial, industrial, or other eligible real property in California. The validation judgments specifically authorized the financing of the construction or installation of the improvements, the issuance of limited obligation improvement bonds, the initial establishment and the subsequent expansion of the program area within which contractual assessments may be offered to include cities and counties throughout California, and the placement and collection by WRCOG of assessments on the tax roll of those counties within which participating cities and counties are located.

WRCOG is now seeking to amend the validation judgments to expand the California HERO Program to include the cities of Arcadia, Bellflower, Carson, Costa Mesa, Delano, El Cajon, Escondido, Huntington Beach, Laguna Hills, Lompoc, Menlo Park, Modesto, Oakdale, Ridgecrest, San Diego, Santa Monica, Scott's Valley, Vacaville, Waterford, the Town of Mammoth Lakes and the unincorporated area within the counties of Merced, Mono and San Diego (residential only).

Any person who wishes to challenge the expansion of the California HERO Program to include each of the entities listed above must provide written notice to Danielle Sakai or Lucas Quass at Best Best & Krieger in Riverside, CA, 3390 University Ave. 5th Floor Riverside, CA 92501, phone number (951) 686-1450 by June 19, 2014, or appear at the hearing on July 1, 2014 at 8:30 a.m. in Department 4 of the Riverside County Superior Court located at 4050 Main Street, Riverside, California 92501.